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EXAMINER	
MCCARTHY, CHRISTOPHER S	
ART UNIT	PAPER NUMBER
2113	

DATE MAILED: 12/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/928,176	CHIGURUPATI, CHAKRAVARTHI	
	Examiner	Art Unit	
	Christopher S. McCarthy	2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 August 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 August 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *5/31/2002*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim7 is objected to because of the following informalities: The claim recites a "control unit" wherein the claim prior refers to the "control module". Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claims state both a memory means in the service module and wherein the service module has no storage capability. The limitations are contradictory.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Simone U.S. Patent 6,202,090.

As per claim 1, Simone teaches a method, comprising of loading a bootstrap program into an area of a memory of a service module that was occupied by a run time program (column 2, line 67 – column 3, line 3; column 3, lines 46-62), the bootstrap program loaded after the service module is reset due to an error while executing the run time program (column 4, lines 7-8), wherein the service module does not have a storage capability, capturing a memory image of the memory using the bootstrap program (column 3, lines 46-62); and sending the captured memory image to a control module using a bus shared by the control module and the service module, wherein the control module is configured to receive captured memory images from one or more service modules (column 2, lines 33-38; column 5, lines 29-37).

As per claim 2, Simone teaches the method of claim 1, further comprising of allocating communication buffers used by bootstrap program in the area of memory that was occupied by the run time program (column 3, lines 40-41; column 2, line 63 – column 3, line 5).

As per claim 3, Simone teaches the method of claim 1, wherein the captured memory image of the memory is compressed before being sent to the control module (column 3, lines 45-62).

As per claim 4, Simone teaches the method of claim 1, wherein capturing the memory image comprises: reading a first block of memory; and compressing the first block of memory into a compressed unit before reading a second block of memory using a compression algorithm (column 4, line 64 – column 5, line 7).

As per claim 5, Simone teaches the method of claim 4, wherein one or more blocks of memory is compressed into the compressed unit until the compressed unit reaches a predetermined size (column 4, line 64 – column 5, line 5).

As per claim 6, Simone teaches the method of claim 5, wherein sending the captured memory image to the control module comprises sending one or more compressed units to the control module (column 5, lines 17-37).

As per claim 7, Simone teaches the method of claim 6, wherein the one or more compressed units is stored as a file in a persistent storage of the control unit (column 2, lines 33-36).

As per claim 8, Simone teaches the method of claim 4, wherein the compression algorithm is a zip algorithm (column 5, lines 3-5).

As per claim 9, Simone teaches the method of claim 1, further comprising loading the run time program into the memory of the service module after sending the captured memory image to the control module (column 3, lines 48-51; figure 3 – "return" step).

As per claim 10, Simone teaches a computer readable medium having stored thereon sequences of instructions which are executable by a system, and which, when executed by the system, cause the system to: load a bootstrap program into an area of a memory of a service module that was occupied by a run time program (column 2, line 67 – column 3, line 3; column 3, lines 46-62), the bootstrap program loaded after the service

module is reset due to an error while executing the run time program (column 4, lines 7-8), wherein the service module does not have a storage capability; capture a memory image of the memory using the bootstrap program (column 3, lines 46-62), and send the captured memory image to a control module using a bus shared by the control module and the service module, wherein the control module is configured to receive captured memory images from one or more service modules (column 2, lines 33-38; column 2, line 63 – column 3, line 5).

As per claim 11, Simone teaches the computer readable medium of claim 10, further comprising instructions to allocate communication buffers used by bootstrap program in the area of memory that was occupied by the run time program (column 3, lines 40-41; column 2, line 63 – column 3, line 5).

As per claim 12, Simone teaches the computer readable medium of claim 10, wherein the captured memory image of the memory is compressed before being sent to the control module (column 3, lines 45-62).

As per claim 13, Simone teaches the computer readable medium of claim 10, wherein the instructions to capture the memory image comprises instructions to: read a first block of memory; and compress the first block of memory into a compressed unit before reading a second block of memory using a compression algorithm (column 4, line 64 – column 5, line 7).

As per claim 14, Simone teaches the computer readable medium of claim 13, wherein one or more blocks of memory is compressed into the compressed unit until the compressed unit reaches a predetermined size (column 4, line 64 – column 5, line 5).

As per claim 15, Simone teaches the computer readable medium of claim 14, wherein the instructions to send the captured memory image to the control module comprises instructions to send one or more compressed units to the control module (column 5, lines 17-37).

As per claim 16, Simone teaches the computer readable medium of claim 15, wherein the one or more compressed units is stored as a file in a persistent storage of the control unit (column 2, lines 33-36).

As per claim 17, Simone teaches the computer readable medium of claim 13, wherein the compression algorithm is a zip algorithm (column 5, lines 3-5).

As per claim 18, Simone teaches the computer readable medium of claim 10, further comprising instructions to load the run time program into the memory of the service module after sending the captured memory image to the control module (column 3, lines 48-51; figure 3).

As per claim 19, Simone teaches a system, comprising a memory; and a processor coupled with the memory (column 1, line 66 – column 2, line 8), the processor configured by a bootstrap program to capture a memory image of the memory after the processor is reset when an error occurs while executing a run time program, wherein the bootstrap program is loaded into an area of the memory occupied by the run time program when the error occurs (column 2, line 67 – column 3, line 3; column 3, lines 46-62).

As per claim 20, Simone teaches the system of claim 19, wherein the captured memory image is sent out to a bus using communication buffers allocated in the area of

the memory occupied by the run time program, the memory areas occupied by the bootstrap program and allocated to the communication buffers do not overlap (figure 2).

As per claim 21, Simone teaches the system of claim 20, wherein the captured memory image is sent out to the bus in compressed form (column 3, lines 45-62).

As per claim 22, Simone teaches a system comprising a memory means; means for loading a bootstrap program into a first memory area of the memory means, the memory area previously occupied by a run time program, the bootstrap program loaded after a reset due to an error while executing the run time program (column 2, line 67 – column 3, line 3; column 3, lines 46-62), means for capturing a memory image of the memory means (column 4, lines 7-8); and means for transferring the captured memory image to a control module (column 2, lines 33-38; column 2, line 63 – column 3, line 5).

As per claim 23, Simone teaches the system of claim 22, wherein the means for capturing the memory image comprises means for capturing an image of a second memory area used by the run time program as a data area when the error occurs (column 4, line 64 – column 5, line 5).

As per claim 24, Simone teaches the system of claim 22, wherein the means for transferring the captured memory image comprises means for compressing the captured memory image (column 3, lines 45-62).

As per claim 25, Simone teaches the system of claim 24, wherein the captured memory image is transferred using communication buffers allocated in the first memory area (column 3, lines 40-41; column 2, line 63 – column 3, line 5).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35

U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: See attached PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher S. McCarthy whose telephone number is (571)272-3651. The examiner can normally be reached on M-F, 9 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571)272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csm
December 1, 2004

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